

seeking to proceed *in forma pauperis* need only show indigence or poverty sufficient to demonstrate his inability to provide for the necessities of life while paying the costs of litigation. Id. at 339-40. If a court determines at any time that the allegation of poverty made in an *in forma pauperis* application is “untrue,” then the court “shall dismiss the case.” 28 U.S.C. § 1915(e)(2)(A).

Plaintiff’s affidavit in support of the application shows that his monthly income totals \$3,320. (Doc. No. 2 at 1). Plaintiff has \$150 in cash and a total of \$415 in bank accounts. (Doc. No. 2 at 2). No one relies on Plaintiff for support. (Doc. No. 2 at e). Plaintiff owns a home valued at \$80,000, other real estate valued at \$204,000, and a motor vehicle worth \$6,000. (Doc. No. 2 at 3). His total monthly expenses total \$1,407. (Doc. No. 2 at 5). Plaintiff does not expect any major changes to his income or expenses in the next 12 months. (Doc. No. 2 at 5).

The representations in Plaintiff’s *in forma pauperis* affidavit reveal that Plaintiff has substantial assets and that his income exceeds his expenses by \$1913 each month. Plaintiff has sufficient funds to pay the filing fee. The Court will therefore dismiss Plaintiff’s Complaint without prejudice to his ability to re-file with payment of the filing fee. See, e.g., Emrit v. Bank of America, Inc., 566 Fed. Appx. 265 (4th Cir. 2014).

IT IS, THEREFORE, ORDERED that:

1. Plaintiff’s Application to Proceed in District Court without Prepaying Fees or Costs, (Doc. No. 2), is **DENIED**.
2. Plaintiff’s Complaint, (Doc. No. 1), is **DISMISSED** without prejudice.
3. The Clerk is instructed to close this case.

Signed: January 5, 2018



Frank D. Whitney
Chief United States District Judge

